months; thereafter contracted typhoid fever or pneumonia; later became insane, failed steadily, and died four years after receiving the injuries. *Held,* his death was the reasonable result of the accident, the defendant offering proof of no other theory. Barker, J., *dissenting.*

A proximate cause has been defined as the "prominent efficient" cause. *Ellvson v. International, etc., R. Co.,* 33 Tex. Civ. App. 1; *Donaldson v. New York, N. H., etc., R. Co.,* 188 Mass. 484. And no "casual or unexpected causes" should intervene as necessary factors between the proximate cause and its result. *Scheffer v. Railroad Co.,* 105 U. S. 249. So when the plaintiff was ejected from a train and as a consequence suffered from exposure it was decided that his death a month later from typhoid fever was not attributable to the wrongful ejection. *Randall v. New Orleans, etc., R. Co.,* 45 La. Ann. 778. And where an injury to a person's knee so reduced his vitality that he was unable to resist the tuberculosis germs that attacked his lungs, such injury was not considered the proximate cause of death from consumption. *Weber v. Third Ave. R. Co.,* 42 N. Y. Supp. 789. But in harmony with the case at hand there are two New York decisions, which rule that there is a strong presumption that causes of a death, which are not made to appear at the trial, do not exist. *Looram v. Third Ave. R. Co.,* 6 N. Y. Supp. 504; *Sauter v. N. Y. Central, etc., R. Co.,* 66 N. Y. 50.

EXPLOSIVES—INJURIES FROM BLASTING—LIABILITY—WYNNE V. BAILEY, 107 N. Y. SUPP. 545.—*Held,* that a contractor is not liable for injury to a stone wall along a street, and to a lawn and hedge adjacent thereto, due to blasting necessary in grading the street, unless the blasting was negligently performed.

A different rule obtains in New Jersey. *McAndrews v. Collerd,* 42 N. J. L., 189. The language of the court there was, "where one engaged in blasting injures the adjoining property of another, he is liable without reference to his exercise of care and skill in doing the work." Even in New York this rule is not uniformly recognized. *Tinsman v. B. D. R. R. Co.,* 2 Dutcher 148, held that "the proposition that a corporation authorized to construct public highways . . . are vested with the immunity that pertains to the sovereign and are exempt from liability to damages for injuries done to individuals in the exercise of that power, cannot be sustained upon grounds of reason and justice." Where death is caused by the voluntary explosion of a blast by a dredging company no amount of care and skill in exploding the blast, not even the highest, will excuse the company from responsibility. *Munro v. Pac. Coast*

Dredging Co., 84 Cal. 515. As stated by Bigelow, *J.*, in *Mellen v. Western Railroad*, 4 Gray (Mass.) 301, "great latitude of discretion is to be allowed to those who are entrusted by law with the erection and maintenance of great public works." But this is no excuse for carelessness, negligence, or wanton disregard of the rights of individuals. *Hunter v. Farren*, 127 Mass. 481. Here the negligent blasting did no more than interfere with plaintiff's business by frightening away of employes, and they were allowed to recover for such interruption.

INJUNCTION—GROUNDS—PICKETING OF COMPLAINANTS' PREMISES—BARNES V. CHICAGO TYPOGRAPHICAL UNION, 83 N. E. 940 (ILL.).—*Held*, that the very fact of the defendants establishing a picket line about the complainants' premises, irrespective of whether physical violence was resorted to, was itself an act of intimidation and unwarrantable interference with the complainants' rights, entitling them to protection against the annoyance. Scott and Farmer, JJ., *dissenting*.

It is his right to a "probable expectancy" that his labor market will not be disturbed unlawfully which entitles an employer to an injunction against the picketing of his premises. *Jersey City Printing Co. v. Cassidy*, 63 N. J. Eq. 759. But by the great weight of authority this right of the employer's is violated by picketing, not as a matter of law, but only when in fact the picketing amounts to coercion. *Foster v. Retail Clerks', etc., Ass'n.*, 39 Misc. (N. Y.) 48. Thus picketing, if accompanied by force, threats, or intimidation, will be enjoined. *Murdock v. Walker*, 152 Pa. St. 595. And the injunction will be refused if not accompanied by such. *Karges Furniture Co. v. Woodworkers' Union*, 165 Ind. 421. The aggressiveness, however, with which picketing has come to be conducted has led some courts to hold, as in the present case, that it is intimidating *per se*, and therefore can be enjoined as a matter of law. See *Otis Steel Co. v. Union*, 110 Fed. 698; *Vegelahn v. Guntner*, 167 Mass. 92. This minority holding is not so much a conflict with the main body of authority as it is a recognition of changed industrial conditions, under which picketing must needs be intimidating. *Franklin Union v. People*, 220 Ill. 355.

LOGS AND LOGGING—SALE OF GROWING TIMBER—REMOVAL OF TIMBER—ST. LOUIS CYPRESS CO. V. THIBODAUX, 45 SOUTH. 742 (LA.). Under a contract giving the purchaser of trees a right to cut and remove the same for a definite period of time, *held*, that if the mere cutting of trees can be construed in any case as entitling the purchaser to remove the same after the expiration of the time limit, such cutting must be done seasonably, and with a *bona fide*